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From the Saturday News and Literary Gazette.

THE FETTERED INDIAN.

BY ROBERT M. HIND.

The sky, the hill, the pathless wood,
The river, and the brake,—
The rapture of the solitude
Beside the breezy lake!
Oh! for a Freeman's leap once more
Along the grassy plains!
They feel a warrior's spirit sore,
The white man's bolts and chains!
Oh! prairies broad, and wide, and fair,
Where the eagle laughs and screams,
And the wild horse snuffs the morning air,
Blithe as the morning beams!
And woods, where, from his rattling den,
The bear starts up to view,
And the mighty moose from out the fen,
With all his antler'd crew!
Shall I not see you once again?
Ah, yes, in dreams, I see:
In dreams and visions of the brain,
I wander wild and free:
My chains are broke, and walls of stone
No more are piled around;
And through the wild I leap alone,
With the hunter's spring and bound!
Yes! where the wild-deer trips along,
Or where the bison roams,
Or where the moose pines her song
Beside my broken home;
Or following where the panther leads,
Or where the osage flies,
Unhindered if my bow beam bleeds,
If not my spirit dies!
The whoop, the yell, the battle roar,
The glittering of the knife,—
The warrior in his joy once more,
The joy of strength and strife!
And lo, my rifle finds its aim,
My hatchet for the blow!
The woodland shall know my fame,
And I shall strike my foe!
Ah, bitter dream!—Mine eye is still
Upon the wall of stone;
And the hard fetters grind and kill,
They wear to the bone:
And visions of the hill and lake,
Of Freedom's woods and plains,
But faster beat the heart to break
Of a warrior bound in chains!

LOUISA SIMONS:

OR

THE ADVANTAGES OF APPLICATION.

BY MRS. C. GILMAN.

Louisa Simons was a bright, intelligent girl of fourteen; amiable and ambitious: the joy of her parents, and the pride of her teachers; and far advanced in all her studies except arithmetic.

"Oh, mother!" she exclaimed frequently, "this is the day for the black-board; a black day to me! I hate arithmetic! I wish the multiplication table had never been invented! There is not such an expressive verse in the world as the old one:

Multiplication is vexation;
Division is no bad;
The Rule of Three doth puzzle me!
And Practice drives me mad."

Mrs. Simons sometimes reproved her for her vehemence: sometimes soothed, and sometimes encouraged her; but finding her more and more excited, she addressed her one day, gravely and anxiously:

"My daughter, you make me unhappy by these expressions. I am aware that many minds are so constituted as to learn numbers slowly; but that close attention and perseverance can conquer even natural defects, has been often proved. If you pass over a rule carelessly, and say you comprehend it from want of energy to grasp it, you will never learn, and your black days, when you become a woman, and have responsibilities, will interfere. I speak feelingly on this subject, for I had the same natural aversion to arithmetic as yourself. Unfortunately for me, a schoolmate, quick at figures, shared my desk; we had no black-board then, and she was kind, or unkind enough to work out my sums for me. The consequence is, that I have suffered repeatedly in my purse and in my feelings from my ignorance. Even now I am obliged to apply to your father in the most trifling calculations, and you must have sometimes noticed my mortification under such circumstances."

"I look to you for assistance," continued she affectionately, to Louisa. "You have every advantage; your mind is active, and in other respects disciplined, and I am sure your good heart will prompt you to aiding me."

Louisa's eyes looked a good resolution; she kissed her mother, and commenced her lessons with the right feelings. Instead of being angry with her teacher and herself, because every thing was not plain, she tried to clear her brow, and attend to the subject calmly.

Success crowned her efforts, while, added to the pleasure of acquisition, she began to experience the higher joy of self conquest, and her mother's approbation. She gave herself up for two years to diligent study, and conquered at length the higher branches of arithmetic.

Louisa, the eldest of three children, had been born to the luxuries of wealth, and scarcely an ungratified want had shaded her sunny brow. Mr. Simons was a merchant of respectable connexions, but, in the height of his prosperity, one of those failures took place which occur in commerce, and his affairs became suddenly involved in the shock which is often felt so far in the mercantile chain. A nervous temperament and delicate system were soon sadly wrought upon by the misfortune, and his mind, perplexed and harassed, seemed to lose its clearness in calculation, and its happy view of life. Louisa was at this period seventeen years of age; her understanding clear and vigorous, her passions disciplined, and her faculties resting, like a young fawn, for a sudden bound.

It was a cold autumn evening; the children were beguiling themselves with gambols about the parlour; Mr. Simons sat leaning his head upon his hand, gazing on an accumulated pile of ledgers and papers; Mrs. Simons was busily sewing, and Louisa, with her finger between the leaves of a closed book, sat anxiously regarding her father.

"Those children distract me," said Mr. Simons peevishly.

"Hush, Robert! Come here, Margaret!" said Mrs. Simons, gently; and taking one on her lap, and another by her side, whispered a little story, and put them to bed.

When Mrs. Simons left the room, Louisa laid aside her book, and stood by her father.

"Don't disturb me, child," said he, roughly. "Then recollecting himself, he waved his hand gently for her to retire, and continued, 'Do not feel hurt, dear, with my abruptness. I am perplexed with these complicated accounts.'"

"Father," said Louisa, hesitatingly, and blushing, "I think I could assist you, if you would permit me."

"You, my love!" exclaimed he, laughing;—"these papers would puzzle a deeper head than yours."

"I do not wish to boast, dear father," said Louisa, modestly; "but when Mr. Randch gave me my last lesson, he said—"

"What did he say?" asked Mr. Simons, encouragingly.

"He said," answered Louisa, blushing more deeply, "that I was a better accountant than most merchants. And I do believe, father," continued she, earnestly, "that if you would allow me, I could assist you."

Mr. Simons smiled sadly; but to encourage her desire of usefulness, opened his accounts. Insensibly he found his daughter following him in the labyrinth of numbers.

Louisa, with a fixed look, and clear eye, her cheek kindled with interest, and her pencil in her hand, listened to him. Mrs. Simons entered on tiptoe, and seated herself softly at her sewing. The accounts became more and more complicated. Mr. Simons, with his practised habits, and Louisa, with her quick intellect and ready will, followed them up with fidelity. The unexpected sympathy of his daughter gave him new life. Time flew unheeded, and the clock struck twelve.

"Wife," said he, suddenly, "matters are not as desperate as I feared; if this girl gives me a few more hours like these, I shall be in a new world."

"My beloved child!" said Mrs. Simons, pressing Louisa's fresh cheek to hers.

Louisa retired, recommended herself to God, and slept profoundly. The next morning, after again seeking his blessing, she repaired to her father; and again, day after day, with untiring patience, went through the details of his books, copied the accounts in a fair hand, nor left him until his brow was smoothed, and the phantom of bankruptcy had disappeared.

A day passed by, and Louisa looked contemplative and absorbed; at length she said, "Father, you complain that you cannot afford another clerk at present. You have tried me, and find me worth something: I will keep your books until your affairs are regulated, and you may give me a little salary to furnish shells for my cabinet."

Mr. Simons accepted her offer with a caress and a smile. Louisa's cabinet increased in value; and the beautiful female handwriting in her father's books was a subject of interest and curiosity to his mercantile friends.

And from whence, as year after year wealth poured in its thousand luxuries, and Louisa Simons stood dispensing pleasures to the gay, and comforts to the poor; did she trace her happiness; To early self-conquest.

A GOOD HORSE.—A man once went to purchase a horse of a quaker. "Will he draw well?" asked the buyer. "There will be pleased to see him draw," answered the quaker. The bargain was closed, and the farmer tried his horse but he would not stir! He returned. "That horse will not draw an inch," "I did not tell thee he would draw, friend," said the quaker, "I only remarked that thee, would be pleased to see him draw; and so should I, but he never would gratify me in that respect."

A SECRET WORTH KNOWING.

Tom Spooner was the luckiest dog in the world, at least so said his old cronies. "He began like a poor good for nothing mechanic," they would say, "without a cent in the world—without a shirt to his back, half shoe to his feet and with nothing but his hands to work with.—And yet Tom Spooner is one of the most wealthy and influential men among us. What a lucky dog that Tom Spooner has been! He went among those who started in life with him, but who were now the frequenters of grog-shops—idle and dissolute—by the name of Lucky Tom. It puzzled his old friends not a little to account for his luck. He had no rich relations, and though not extravagant, he was liberal. He was no skinflint. Could he know some art of magic that would unbosom the treasures of the earth, and spread its gold before him? He paid no attention to the words of fortune tellers, and gold-finders; he merely stood at home, and yet his course had been attended year after year and week after week with a wonderful share of good fortune—good luck. He must be in possession of some secret of which others are ignorant—What can it be? What on earth can it be? If Tom had a lot of pork to dispose of, people are always willing to pay him a couple of cents more a pound than any other person! And the dog! he was always lucky enough to pay his debts! He was never so unlucky as to feel the gripe of a sheriff or hear the creak of the jail door."

"Tom married. Why! this poor mechanic has taken the sweetest and most beautiful girl in the place. Who would have thought it!—What a confounded lucky dog Tom Spooner is! He must have got the girl by magic—yes, nothing less than magic!" And then Tom's garden was a picture of neatness; the fences were never known to blow over as did his neighbors. His land was rich, while that of his very next door neighbor would produce hardly any thing but weeds! What does Tom put upon his land? How he rises one step after another! If there is an important station to be filled, why Tom Spooner was always the man. He could get a note discounted at the Bank without security. If any question between neighbors was to be settled, why, Tom—Lucky Tom was always sure to be called in as umpire. And now I think of it, any one, I never knew Tom to speak an ill word against his neighbor,—which shows plain enough that there are many in his secret and therefore, that he dares not utter a word to their prejudice. He never drinks—because to be sure if intoxicated, some one will snatch his secret from him. He has learned his wife the way too. They both have the secret. He says nothing hard of his acquaintances. He goes to church regularly; but that is for mere appearance's sake. He pores over books when he can find them—he must be learning something more of his art of getting rich. He is laying up treasures. And then he always has a lamp in his work room late, and is the first up in the house, which further more shows that Tom's mind is always bent upon his secret. He hasn't time even to take a glass with his old cronies at the grog shop. He must have a secret worth knowing. It occupies his thoughts so much that he minds no body's business but his own. And yet it does not weigh heavy on his mind—he is always good natured, contented and happy—he has no quarrelling in his family. All is pleasant and agreeable. Nothing is out of place.

Strange! Strange! said these wisecracks, that Tom Spooner—that poor mechanic—who began with nothing, of whom all prophesied that he would come out of the little end of the horn—and who believed nothing of it, but stuck to his work, should have been so fortunate—so lucky in life! Up early—late to bed—ever at work with hands or head!—He must have a secret worth knowing! Ah! Lucky Dog!—Lucky Tom! What can his secret be? Reader! what can his secret be?

THE AXE-STEELER.—A story never loses much by travelling. "Good morning, neighbor Grosh; what do you gather this morning?" "O, not much, friend Garlie, excepting that affair of Deacon Nonesuch's." "What affair, pray what has happened? Has he broke his leg, or arm, or neck, or what?" "O no, nothing of that kind, but it's something pretty solemn, I reckon." "For Heaven's sake, Mr. Grosh, tell me what it is." "Why, if you must know, (tho' I don't wish you to mention it from me, that is, till you have heard of it elsewhere,) the deacon has been stealing axes." "Good gracious!" said Squire Garlie, "you don't say so! Is it possible that good man has been guilty of such an act?" "Even so," said Grosh. "Although the injunction of secrecy was put upon Squire Garlie, he could not think of keeping it from his better half. He accordingly communicated the sad intelligence to his wife, on her promise of not imparting it to any body. Just two days from the time that Mrs. Garlie heard of the affair, there was an unusual bustle, and 'putting things to rights,' preparatory to a grand levee to be given by the Garlie family. All the Adair's, Susannahs, Pollies, Angelinas, &c. were invited, and such as were not previously engaged, attended. The usual and never exhausted topic of the weather, was amply discussed by the ladies and gentlemen in conjunc-

tion—the unpleasant topic of hard times and scarcity of money was talked over by the Gents—new bonnets and new fashions came in for a full share of the tongueology of the ladies—and, lastly, it was whispered to one of the company that Deacon Nonesuch had been guilty of a crime never to be got over. Soon it passed from one to another, till at length the whole room was filled with gloom at the sad intelligence, and the hitherto sprightly party broke up with sundry long faces and mournful looks. The news spread far and wide. Every body in the parish had a finger in it. Finally, it reached the ears of the Parson; he conferred with the other deacons of the church, and finally appointed a day, and concluded to give Deacon Nonesuch a church-mauling.

The day arrived; the Deacon was summoned to appear. Great was the tribulation and anguish manifested by the good man on the occasion. At length the Rev. Pastor arose and said, "Mr. Nonesuch, (for I cannot call you brother as I have wont,) Mr. Nonesuch, it is currently reported in this village, upon good authority, that you have stole some axes. As members of this christian church; we have met to see what degree of truth is attached to these reports, which have been so copiously circulated through the village for the last week, detrimental alike to yourself, and to the church of which you are a member." The deacon rose under great emotion and said, "I hardly know, my dear friends, how such a base report has got currency; all I can say is that I throw the lie in the teeth of the slanderer, and defy him to the proof." "Well sir," said the parson, "we have traced the story through every lane and avenue in the village, and have lodged it upon the shoulders of Mr. Grosh; let him speak." Mr. Grosh, did you report that deacon Nonesuch stole some axes?" "On my life I did not!" "Call Mr. Garlie then." Mr. Garlie, what did Mr. Grosh tell you about deacon Nonesuch?" "Why he said he'd been stealing axes." "Ah I understand now," said Grosh, "I recollect calling into the deacon's blacksmith's shop last week, and he was making an axe. He was welding on the steel, and I inquired what he was doing, and he replied that he was 'steeling an axe'; and that, I suppose, was the foundation of the report." The mystery being solved to the satisfaction of the deacon, and the mortification separated, after an exhortation by the chairman to the several members to be more careful in future how they dealt in double entendres. [Norfolk Ad.]

CONNUBIAL AFFECTION.

A correspondent of the Newark Advertiser gives the following interesting incident, which took place during the trial of Richard White, for setting fire to the Treasury buildings at Washington.

"In the course of the trial, the most clever and celebrated thief-takers have been examined, and scenes of ingenious villany have been disclosed, which have inspired us with wonder, approaching to admiration. There was a beautiful woman examined—a Mrs. Baldwin—to prove that she had overheard White telling her husband that he had succeeded in setting fire to the Treasury. 'Where is your husband?' asked the counsel for the prisoner. She paused for a moment, a hand beautifully formed, of ivory whiteness, was passed over her dark and drooping eyes, and then in a low voice, answered, 'He is in the State Prison in New Jersey.' 'And were you not in the State Prison?' 'Yes, when I went to see my husband.' 'But were you ever confined there after conviction of an infamous offence?' 'No.' 'Were you never charged with an infamous offence?' The Court suggested to Mrs. Baldwin, that she was not compelled to answer that question. She paused, as if to summon all her energy, and then lifting her head, exhibited a countenance lighted up with more than ordinary intelligence and energy, she answered, 'I will tell.—Yes, sir, I was charged with taking my poor husband instruments to enable him to escape from prison, and, (raising her arm and her voice at the same time,) I did it. If you call that an infamous offence, I do not.'—There was a sudden and universal burst of approbation from every part of the Court room; to recompense this display of conjugal devotion and fidelity, it could not be repressed until it had found full vent."

SPIDERS.—Of all living creatures, spiders are the most pugnacious. Under no circumstances whatever can they meet each other without fighting. Whoever wishes to see their battles may easily manage it. Let him on a fine August morning, when the hedges and bushes are swarming with their webs, sit one web and all, with a twig, and let him draw softly by his thread on the centre of another web, where sits a yellow like match in point of size, and to it they go immediately. If a fly or any other proper bait be dropped into a web, and four or five spiders be brought to the plunder, the battle rages like Waterloo. The lean red spider with long legs beats the rest all hollow. In their rage their bodies shiver like the feathers of a turkey cock. It is not generally known that spiders have eight eyes in their heads.

Loss of the Mexico—further particulars.—It was not at first known where the ship had struck—some supposed it was on the Jersey shore, and others on Long Island. When it was light enough to see the make of the land, it was found that she was on Hempstead Beach, and not more than forty rods from the shore. The wreck now beat very hard against the bottom, and her rudder was soon knocked off.—Captain Winslow ordered the masts to be cut away, which was done with the assistance of some of the passengers. She now appeared to be a little more easy; but the weather was so boisterous that the sea made a complete breach over her, and, in the language of our informant, every small rope had become the size of a hawser, by accumulation of ice, and the severity of the frost.

The long boat was now launched, but in the confusion of the moment, she drifted from them and was soon out of sight. The only remaining boat was now let down, and several men and one female dropped into her. The waves at this time were so high, that no ordinary boat could live, and this almost immediately capsized.

Nothing was now left them on which to hope for escape. At 7 o'clock in the morning the ship bilged and was soon filled with water.—The agony of the passengers at this period is indescribable—they were in despair.

A number of persons were on the beach, and a small boat was obtained, but the surf ran so high, that no hope could be entertained of its reaching the wreck. In this dreadful situation, the poor sufferers remained until 4 o'clock in the afternoon, when the boat put off from the beach, and fortunately reached the wreck.—Capt. Winslow and seven others got into her, and reached the shore after a long and severe struggle with the waves. The risk was so great, that no one could be induced to return.

And now, the horrors of the scene were indistinguishable. Already had the sufferings of the unhappy beings been such as to surpass belief. From the moment of the disaster, they had hung round the captain, covered with their blankets, thick set with ice, imploring his assistance and asking if hope was still left to them. When they perceived that no farther help came from the land, their piercing shrieks were distinctly heard at a considerable distance, and continued through the night until they one by one perished. The next morning the bodies of many of the unhappy creatures were seen lashed to different parts of the wreck, imbedded in ice. None, it is believed, were drowned, but all frozen to death.

Of the one hundred and four passengers, two thirds were women and children.

It is but justice to the people on shore, to say that every thing which human beings could accomplish to save the unfortunate, was done, that their means permitted. The only boat which boarded the vessel was hauled a distance of ten miles, manned by an old man and six others, four or five of whom were the old man's sons and grandsons.

For thirty-five years has he been living on the sea-shore, during which he has rendered assistance to numerous wrecks, and never before has he or his comrades shrunk from the surf; but in addition to his violence on the present occasion, such was the extreme cold, that a second attempt to rescue was more than they dared venture; it would have inevitably proved fatal to them.

The Mexico was a substantial eastern built vessel of 280 tons, 11 years old, owned by Mr. Samuel Broom of this city, and D. Draper of Boston. She is insured by the Commonwealth Office of Boston for \$8000. The freight was insured by the State Marine of this city. The Atlantic office is also on part of her cargo.—N. Y. Cour.

A WARRIOR'S OPINION OF WAR. The following is singular language to be used by a brother of Napoleon. It is from an answer of Louis Bonaparte to Sir Walter Scott: "I have been enthusiastic and joyful as any one after battle; but I must also confess, that the sight of a battle has not only struck me with horror, but turned me sick; and now that I am advanced in life, I cannot understand any more than at fifteen years of age, how beings, who call themselves reasonable, and have so much foresight, can employ this short existence not in loving and aiding, but in putting an end to each others existence, as if Time did not himself do this with sufficient rapidity! What I thought at fifteen years of age I still think—'wars with the pain of death, which society draws upon itself, are but original barbarisms, an inheritance of savage state' disused and ornamented by an ingenious institution and false eloquence."

Not long since, a neighboring merchant sent a statement of accounts to an insolvent firm, requesting them in some way to acknowledge the debt, and at the same time wishing to know if there was any probability of its ever being liquidated.—He received in return the following laconic reply. "It is dubious." [Due by us.]

A small sorrow distracts—a great one makes us collected; as a bell loses its tone when slightly cracked, and recovers it if the fissure is enlarged.

Paris, January 21, 1837.

Legislation. The most important subject that has yet been agitated in this body is the proposition to remove the seat of Government from Augusta to Portland. A bill has passed the House to refer the subject to the people at the next September elections. This we think the most judicious disposition of the question that could be made. As those opposed to the removal deny that there is much interest felt in the question among the people at large, or at least that there is a dissatisfaction generally prevailing, it is well to refer the question to those whose right it is to settle so important a question. Presuming that this is the course to be taken we defer further remarks until the proper time arrives for a disposition of the question at the polls. The Legislature are doubtless instructed in the feelings and wishes of their constituents, and we believe that the proposal to refer the question to the people will meet with their approbation.

We notice on other matters of interest that have received the final action of the Legislature, though some important questions are before them.

As it is to be presumed that the people feel an interest in knowing the condition of the State Treasury, we publish the annual Report of the Treasurer with the exception of some concluding remarks for which we have not room.

Consensus. Some excitement has been produced in the House of Representatives by Mr. Adams of Mass. presenting petitions for the abolition of slavery. This subject which consumed so much of the time of the last session of Congress, has been again brought forward. How it will now be disposed of we know not. It will doubtless produce the object intended by the movers of it—to excite and exasperate the feelings of the South. The people must speak out and put this question forever at rest or expect that the public business and the important interests of the people will be delayed session after session by the agitation of this subject.

A bill has been introduced in the House for a reduction of the revenue to the wants of the government. Its fate is perhaps doubtful, as it will have to contend with the conflicting interests of various classes of the community. The people want a reduction, and if a due regard is had to their interests, they will have it.

In the Senate, the admission of Michigan, the specie order, the expunging resolution and the sales of public lands have occupied the time of this body and given rise to much debate. Nothing of importance has yet been done except the vote for the admission of Michigan, which passed by a large majority.

Hon. J. Swift of the Senate, will please to except our thanks for various public documents received from him.

Geo. W. Millett has been appointed Post Master at Paris, vice Joseph C. Cole resigned.

Thomas Clark, Esq. of Paris, has been appointed Clerk of the Courts for this County, pro. tem., vice Rufus K. Goodenow, Esq. resigned.

REPORT OF THE TREASURER OF STATE.

STATE OF MAINE.

TREASURER'S OFFICE, DECE. 31, 1836.

To the President of the Senate and Speaker of the House of Representatives.

In obedience to the requirements of law, relative to the annual exhibition of the state of the finances, the Treasurer respectfully submits the following

REPORT.

The money in the Treasury on first day of January, 1836,

was \$6,341 87

During the year there has been received into the Treasury from various sources,

225,577 73

Making a total of

231,919 60

Within the year there has been paid from the Treasury

206,922 79

Leaving a balance now on hand of

24,996 81

The amount received into the Treasury from all sources, since the admission of the State into the Union, has been

\$2,494,520 73

There has been paid out, for all purposes, since that period,

2,469,523 92

Leaving a balance on hand, as above named, of

\$24,996 81

OF THE PUBLIC DEBT.

In making provision last winter to meet the expenditures of 1836, the Committee on Finance calculated upon \$120,000 from the Land Department. Owing to the limited extent of the demand for land, and to the pressure in the money market, there has been a disappointment in that calculation. Instead of the estimated sum, the receipts from the Land Office have amounted to but \$44,591 66.

This deficiency has created a necessity of borrowing for Treasury uses \$15,000 more than was contemplated by the Legislature. The debt now due from the State amounts to

\$135,000

Viz: A loan at 5 per cent. payable on the 13th May, 1838,

\$10,000

A loan at 5 per cent. payable on the 22d May, 1838,

15,000

A loan at 5 per cent. payable on the 16th June, 1839,

20,000

A loan at 5 per cent. payable on the 1st Jan., 1840,

10,000

Loans from Banks made in 1836, at 5 per cent. redeemable in five annual instalments,

65,000

Loans negotiated at the Maine Bank, at 6 per cent. payable by 11th March, 1837,

10,000

Loan negotiated at the Granite Bank, at 6 per cent. payable

on demand after the 13th Jan. 1837,

5,000

\$135,000

OF THE PRESENT LIABILITIES AND RESOURCES OF THE TREASURY.

The liabilities are as follows:

Funded debt above described,

135,000 00

Penobscot Indians' Fund,

61,209 78

Annual School Fund No. 1,

117 78

" " " 2,

105 59

" " " 3,

421 52

" " " 4,

55,530 88

Cumberland and Oxford Canal Lottery,

314 51

On Roll of Accounts, No. 15,

13 87

" " " 16,

44 79

" " " 17,

156 75

For County Taxes,

634 84

For Cash received from a Public Administrator,

168 58

The resources are as follows:

Cash on hand

\$24,996 81

Notes on hand (if the State shall elect to waive the forfeiture of the lands for which said notes were given)

12,569 72

Uncollected State Taxes

496 78

County Taxes,

634 84

Total of Treasury resources,

38,698 15

Balance against the Treasury of

195,320 74

Other Resources of the State, which may be expected to contribute from time to time to the funds of the Treasury.

210 Bank shares,

\$21,000 00

Securities in hands of Land Agent, nominal amount,

340,682 84

Due from Joel Miller, late Warden,

4,918 94

Demands in hands of J. O'Brien, Warden, which were transferred from former Warden, nominally amounting to 12,239 07, but considered of little value.

A claim, jointly with Massachusetts, against the United States for money and interest on moneys expended in defending the Commonwealth during the last war, amount unknown.

Lands lying south of the dividing line which separates the waters of the St. John's river from those flowing into the Atlantic Ocean; being the line to which the British Government are understood to make some pretence of claim.

Of these some townships have been surveyed, and are owned wholly by the State of Maine.—Other parts are owned jointly with Massachusetts. The portion belonging to this State is estimated at three millions of acres. Value unknown.

To this quantity there is to be added one undivided half of the tract, lying within the State of Maine, and north of the dividing line aforesaid. This is the land which has sometimes been called "the disputed territory." It is irregular in form; the only straight line in the description of it, is its eastern boundary, which is 100 miles in length.

This tract is supposed to contain land sufficient in quantity for the formation of 250 or 300 townships. Much of it is of excellent quality; but its principal value consists in its noble and extensive forests of pine and other useful timber. Its embarrassed condition precludes the State from deriving immediate revenues from the sale of it. But it will doubtless yield rich supplies to the Treasury for many generations to come.

The possession and security of a property, so immense, deserves the prompt and energetic action of the Legislature.

To these resources may be added the amount which shall be assigned to this State, as its proportion of the Surplus Revenue of the General Government to be deposited with the respective States, agreeable to the Act of Congress of 23d June, 1836.

Of the Annual School Fund.

The Banks in operation in this State are 55 in number, with an authorized capital of \$5,460,000. Fifty-one of these Banks, having commenced business prior to the first day of October last, have paid taxes at the rate required by law, amounting to \$35,830 88.

This sum is to be distributed in February next for the use of primary schools, among the cities, towns and plantations of the State.—Compared with the aggregate of capital, it might seem that the amount received for taxes is less than the Banks ought to have paid. But it is to be considered that 4 of the charters granted last winter, were not accepted by the Corporators; and most of the others did not go into operation until a short time before the day fixed for the last semi-annual payment of Bank taxes. And it will be recollected that the Canal Bank with a capital of \$400,000, pays no tax.

If this favored corporation should be assessed at the same rate with other Banks, its payments into the Treasury would be \$4000 annually.

Of Weights and Measures.

The duty of comparing weights and measures with the public standards is devolved upon the Treasurer, or some person of his appointment.

With these, the county standards are to be compared every ten years. The town standards are to be compared with those of the State or County every ten years. And, before gold can be paid by weight from any of the Banks, the law requires their weights to be compared with the State standards.

These standards are kept at the Treasury Office, and notice was extensively published, that an individual, well qualified for the business, had been appointed, and was in readiness to compare, correct, and seal such weights and measures as might be presented. Very little attention has been paid to this subject, either by county or town Treasurers, or by the officers of Banks.

In regard to the weights and measures in use at the stores, and among the citizens of the State generally, there is reason to believe that a great want of uniformity exists.

The Constitution of the United States conferred on Congress the power to fix the standard of weights and measures.

It is now satisfactory to learn that, under their direction, the Treasury department of the U. S. has at length accomplished that difficult work.

A set of standards has been completed, to the formation of which, the light of science and the best resources of mechanical skill have been applied, giving assurance of the highest attainable perfection.

An act of Congress was passed on the 14th of June last, directing a distribution of one set of these standards to each of the States. From the correspondence I have had with the Secretary of the Treasury, it is expected they will be received next summer.

A revision of the laws of the State, relative to this subject, is respectfully suggested.

There are in this office several notes of hand, given by different persons, and which became due in September and October last; amounting, besides interest, to \$12,569 72. They were given for the purchase money of certain lands, conveyed by the State. These conveyances contained within themselves an express condition, that, unless each note should be paid on the day of its maturity, the conveyances should be void. By the failure to pay on the very day agreed upon, the lands by operation of law, reverted and again became the property of the State.

An individual in such circumstances would be obliged to make an entry upon the land, in order to reassert the title in himself. But it is believed no such necessity rests upon the State. Not being liable to the imputation of laches, and being presumptively at all times present in every part of its limits, the State, upon the first neglect of the purchaser, is remitted into the full seizin and title of the estate, without the process of a re-entry.

In this respect, these conditional conveyances, made by the State, partake much of the nature of bonds of deeds. The neglect of the purchaser to pay at the stipulated time is legally deemed to be evidential of his determination to withdraw from the contract. The obligation of the other party is then at an end. He may treat the contract as a nullity. It is void, unless he chooses to renew it.

In the cases now under consideration, the acceptance of the money by the State, or its receiving a fiercer, would operate a renewal of the contract. It would in effect, be a new sale at the old price.

Such a course I have not felt at liberty to pursue. It could never have been intended, that the Treasurer should waive forfeitures of such magnitude. I have accordingly left constrained to re-use the payment for one of these notes, though offered shortly after the pay-day.

Whether fairness and equity do not require the State to receive and endorse the money, is a question which I am not permitted to decide.

That thing is wholly with the Legislature. In arriving at a decision, they can consider whether the land was sold at very low prices; though how many processes of speculation it has passed; whether the claimants have not already received in timber, taken from the land, ample repayment for their trouble and advancements; and what the effect of a remission may be upon the just expectation, which the State would otherwise feel of punctuality in similar cases; as also its operation, as a precedent, upon the multitude of other tracts, which have reverted to the State, by force of the conditional clause contained in most of its conveyances made since the summer of 1832.

Doubtless the action of the Legislature will provide a just and equitable protection to all concerned.

Should it be their pleasure, that the money be received and endorsed, I have to request instruction to that effect, either in form of a Resolution, or otherwise.

By an Act of 23d February 1828, twenty townships of the public land were authorized to be sold, to constitute a permanent fund in aid of primary schools, the same to be put upon interest in such a manner as a future Legislature should determine.

Some of these townships have been surveyed preparatory to a sale.

Should any of them be sold the ensuing year it seems necessary that some legislative enactments should be had, prescribing the mode of investing the money.

There is now due to the Penobscot tribe of Indians the sum of \$61,209 78.

This is a charge upon the Treasury and draws an interest of six per cent.

An amount not exceeding the interest accrued, may at any time be expended, under the approval of the Governor and Council, for the benefit of the tribe.

It is believed advisable that this fund should be separated from the other moneys of the Treasury, and invested in productive stocks. It would operate a saving to the interest of the State, and seem more consonant to the approved modes of managing such business.

A Resolve of March 1836, authorized the sale of a township of land belonging to the Pas-

samaquoddy Indians, the avails to be paid into the Treasury, subject to the disposition of the Legislature, for the use of the tribe.

If any considerable progress has been made towards accomplishing a sale, the action of the Legislature would seem to be necessary, in order to make the fund productive.

By an Act of 17th February, 1836, it is made the duty of the Treasurer, in his annual report, to communicate the outstanding credits given, on the books of the State, to County Treasurers in discharge of County taxes.—They are as follows, v. z.:

To the Treasurer of Penobscot Co. \$532 20

To the Treasurer of Somerset Co. \$52 64

Appropriations are therefore solicited for those amounts.

For seven years, ending 1828, the sums received by the State for licenses to peddlers of tin ware amounted on the average to \$830 annually. For the years 1834 and 1835 the average was \$270. And this year they have amounted only to \$60. As it is not known that any diminution has taken place in the number or operations of the tin ware peddlers, it may be worthy of inquiry why their contributions to the Treasury have been so much reduced.

Legislature of Maine.

On motion of Mr. Holmes of Alfred, the Bill to remove the seat of government from Augusta to Portland was taken up; and Mr. Holmes moved an amendment to the amendment then pending, by which that part of the original amendment which provides that the votes of the people shall be counted by the Governor and that he shall be authorized to convene the Legislature at Portland if a majority of the people so decide, was to be stricken out and a provision inserted, that the votes should be laid before the next Legislature during the first week of their session, for their consideration.

Mr. Fox of Portland called for a division of the question, which was carried, and the first question was upon the striking out, and upon this question the yeas and nays were ordered and taken as follows:—

YEAS. York—Mr. Holmes.

Lincoln—Messrs. Eaton, Fletcher, Hodgkin, Keen, Lovensaler, O'Brien, Palmer, Rollins, Smalley, Sprout, Stinson, Thayer, Thompson, Weeks.

Hancock—Messrs. Higgins, Richards, Thomas.

Washington—Messrs. Comstock, Eaton, S. C. Foster, Gilman, Judkins, Vance.

Kennebec—Messrs. Bowles, Brown, Cony, Cram, Davis, Dixon, Freeman, French, Holmes, Lane, Paine, Redington, Shaw, Shory, Smiley, Smith, Stanley, Stevens, Taber, Vance, Webb, Wells, Woodman.

Oxford—Messrs. Booker, Knight, Parris.

Somerset—Messrs. Conner, Davis, Finson, Getchell, Greenleaf, Hayden, Hopkins, J. Pratt, T. Pratt, Prescott, Richardson, Russell, Soule, Sylvester, Thompson, Wellcome.

Penobscot—Messrs. Bradford, Morrill, Oaks, Smari, Tibbets.

Waldo—Messrs. Ames, Bartlett, Durham, G. Knowlton, Marten, Vose.—77

Nays. York—Messrs. Ayer, Barker, Brooks, Caine, Carr, Clark, Cook, Deering, Emery, Gowen, Hubbard, Johnson, Meeds, Paine, Pat-ten, Perkins, Shapleigh, Seaver, Towle, Walker, Waterhouse, Wells.

Cumberland—Messrs. Appleton, Baker, Beman, Buzzell, Codman, Cushman, Dunlap, Fox, Hunt, Humphrey, Jordan, Lathfield, Lyman, Marble, Merrill, Pierce, Poirer, Potter, Quincy, Randall, Rideout, Sewall, Soule, Stinson, Field, Turner, Woodman.

Lincoln—Messrs. Bryant, Berry, Carlisle, Cunningham, Fossell, Hubbard, Hulet, Land-ley, Painsow, Sewall.

Kennebec—Messrs. Godfrey, Hinkley, Hooper, Pettengill, Pillsbury, Smith.

Washington—Messrs. R. Foster, Hopkins, Libby, Mc Lellan.

Kennebec—Mr. Sheldon.

Oxford—Messrs. Barbank, Eames, Goodenow, Gross, Hamlin, Hastings, Hon, Ingalls, Merritt, Nevins, Poor, Smith.

Somerset—Mr. Chase.

Penobscot—Messrs. Allen, Beck, Eddy, Ellis, Hamlin, Millikin, Shaw, Small.

Waldo—Messrs. Chase, Hatch, Ide, Johnson, E. Knowlton, Noyes.—96.

So the amendment to the amendment was refused by the House.

The original amendment was then adopted without a division.

Mr. Parris of Buckfield moved the indefinite postponement of the bill and on that motion the yeas and nays were taken as follows:—Yeas, 79

Nays, 95.

So the House refused to postpone the bill indefinitely.

The question then returned upon passing the bill to be engrossed, and upon that question the yeas and nays were taken as follows:—Yeas, 94

Nays, 78.

So the bill was passed to be engrossed.

Adjourned.

In the course of the debate Mr. Shaw, of Orono said he had received a letter signed by many of his constituents, requesting him to vote against the Bill. Under these circumstances he felt himself obliged (he said) to change his vote.

Precious Keepsake.

Miss Kelly in her "Dramatic Recollections," which she has recently got up in Liverpool and Manchester, makes her servant Sally—who "kept company with Jones"—say, "He sent me a lock of his hair; and he knew I liked black hair best, so he cut off the lock from the boatwain's head,—'cause his'n was light hair. I keeps it in my nutmeg grater!"

Twenty-Fourth Congress, SECOND SESSION.

Tuesday, Jan. 10, 1837.—In the Senate.

A message was received from the President of the United States in regard to a communication by canal or rail-road between the Atlantic and Pacific, intimating the inexpediency of any action at present by the United States.

The Senate proceeded to the further consideration of the joint resolution to rescind the Treasury order of July, 1833, &c. together with the substitute therefor by Mr. Rivers.

Mr. Rivers spoke at large on the subject of the resolution and the amendment. After whom, Mr. Clay said that he desired to submit to the Senate a few considerations on the subject under debate; but as the hour was somewhat late, the Senate preferred that he might defer what he had to say till to-morrow, and proceeded for the remainder of the day to some other business; whereupon the Senate adjourned.

In the House of Representatives.—On motion of Mr. Adams, several amendments were made to the journal of yesterday, the purpose of which was to give a more definite description of the sundry petitions presented by him in relation to the abolition of slavery in the District of Columbia.

Mr. Davis moved a suspension of the Rule, to enable him to offer the following resolution:—

Resolved, That all petitions, memorials, resolutions, propositions, or papers, relating in any way, or to any extent, whatever, to the subject of slavery, shall, without being either printed or referred, be laid on the table, and that no further action whatever shall be had thereon.—Yeas 102, nays 78; (not two thirds.)

So the House refused to suspend the rule.

The amendment of the Senate to the bill supplementary to the acts regulating the Mint was then read and concurred in, *nem. con.* [This bill having now passed both Houses, requires only the signature of the President to become a law.]

After various other unimportant business, the House proceeded to the consideration of Wise's Resolution.

Wednesday, Jan. 11.—In Senate, Mr. Davis offered the following resolution.

Resolved, That the Committee on Commerce be directed to inquire into the expediency of making some provision for the nautical education of American seamen.

Mr. Walker offered a Resolution that inasmuch as the State of Texas had established and maintained an independent government capable of performing those duties appertaining thereto, that the independent political existence of said State, shall be acknowledged by the government of the U. S.

After the despatch of some business of local importance the Senate proceeded to consider the Treasury Order, and remarks were offered by Messrs. Clay, Ruggles and Niles.

After a few words from Mr. Tipton, and Mr. Black, (who called for the yeas and nays,) the question was taken on referring the subject to the Committee on Public Lands, and decided as follows:

